

Adopted	Rejected
---------	----------

COMMITTEE REPORT

YES: 11

NO: 0

MR. SPEAKER:

Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1159, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Delete pages 2 through 3.
- 3 Page 4, delete lines 1 through 3.
- 4 Page 4, line 7, delete "has the meaning set forth in" and insert
- 5 **"means an individual at least sixty-five (65) years of age who is**
- 6 **reported missing to a law enforcement agency and is, or is believed**
- 7 **to be:**
- 8 **(1) a temporary or permanent resident of Indiana;**
- 9 **(2) at a location that cannot be determined by an individual**
- 10 **familiar with the missing individual; and**
- 11 **(3) incapable of returning to the individual's residence without**
- 12 **assistance."**
- 13 Page 4, delete line 8, begin a new paragraph, and insert:
- 14 "SECTION 2. IC 12-7-2-174.8 IS ADDED TO THE INDIANA
- 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2005]: **Sec. 174.8. "Senior medical alert"**

means an alert indicating that law enforcement officials are searching for a missing endangered senior."

Page 4, line 13, after "1." insert "(a)".

Page 4, line 14, after "senior" insert "from:

(1) the missing endangered senior's:

(A) guardian;

(B) custodian; or

(C) guardian ad litem; or

(2) an individual who:

(A) provides the missing endangered senior with home health aid services;

(B) possesses a health care power of attorney for the missing endangered senior; or

(C) has proof that the missing endangered senior has a medical condition;".

Page 4, line 14, beginning with "shall" begin a new line blocked left.

Page 4, line 15, delete "That report", begin a new paragraph and insert:

"(b) The report described in subsection (a)".

Page 4, line 34, after "3." insert "(a)".

Page 5, line 6, delete "the Indiana clearinghouse for information on missing" and insert "one (1) or more broadcasters that broadcast in an area where the missing endangered senior may be located;".

Page 5, delete line 7.

Page 5, between lines 10 and 11, begin a new paragraph and insert:

"(b) Upon completion of the report required by section 1 of this chapter, a law enforcement agency may forward a copy of the contents of the report to one (1) or more newspapers distributed in an area where the missing endangered senior may be located.

(c) After forwarding the contents of the report to a broadcaster or newspaper under this section, the law enforcement agency shall request that the broadcaster or newspaper may:

(1) notify the public that there is a senior medical alert; and

(2) broadcast or publish:

(A) a description of the missing endangered senior; and

(B) any other relevant information that would assist in locating the missing endangered senior."

Page 5, line 12, delete "not later than" and insert "as soon as

1 **possible".**

2 Page 5, line 13, delete "twenty-four (24) hours".

3 Page 5, after line 14, begin a new paragraph and insert:

4 **"Sec. 5. An individual described in section 1(a)(1) or 1(a)(2) of**
 5 **this chapter who notifies a law enforcement agency concerning a**
 6 **missing endangered senior shall notify the law enforcement agency**
 7 **when the missing endangered senior is found.**

8 **Sec. 6. (a) A broadcaster or newspaper that notifies the public**
 9 **that there is a senior medical alert and broadcasts or publishes to**
 10 **the public information contained in the report forwarded to the**
 11 **broadcaster or newspaper by a law enforcement agency, including:**

12 **(1) a description of the missing endangered senior; and**
 13 **(2) any other relevant information that would assist in locating**
 14 **the missing endangered senior;**

15 **is immune from civil liability for an act or omission related to the**
 16 **broadcast or the publication of the newspaper.**

17 **(b) The civil immunity described in subsection (a) does not apply**
 18 **to an act or omission that constitutes gross negligence or willful,**
 19 **wanton, or intentional misconduct.**

20 SECTION 4. IC 34-30-2-43.3 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2005]: **Sec. 43.3. IC 12-10-18-5 (Concerning**
 23 **a broadcaster who broadcasts a senior medical alert or a**
 24 **newspaper that publishes a senior medical alert)".**

25 Renumber all SECTIONS consecutively.

(Reference is to HB 1592 as introduced.)

and when so amended that said bill do pass.

Representative Budak